

1 KEKER & VAN NEST, LLP  
MICHAEL H. PAGE - #154913  
2 ASHOK RAMANI - #200020  
KHARI J. TILLERY - #215669  
3 710 Sansome Street  
San Francisco, CA 94111-1704  
4 Telephone: (415) 391-5400  
Facsimile: (415) 397-7188

5 Attorneys for Third-Party Google, Inc.  
6  
7  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 VISTO CORPORATION,  
13

Plaintiff,  
14

v.  
15

16 RESEARCH IN MOTION LIMITED, et al.,

Defendant.  
17

Misc. Civil Case No. 3:08-mc-80031-JSW  
(JL)

Court of Original Jurisdiction  
U.S. Dist. Ct.  
E. District Texas  
Marshall Division  
Case No. 2-06-CV-181 TJW

**ADMINISTRATIVE MOTION TO FILE A  
PORTION OF DOCUMENT UNDER  
SEAL**

1 Defendant Google Inc. submits this Request under Civil Local Rules 7-11 and 79-5 to file  
2 the a portion of the following document under seal: Third Party Google's Reply in Support of  
3 Motion to Quash Subpoena, or in the Alternative, for a Protective Order. Google makes this  
4 Request in a good-faith effort to maintain the confidentiality of several documents referenced in  
5 Google's reply brief that have been filed under seal by plaintiff Visto Corporation (pursuant to  
6 an order of this Court). *See* Docket No. 26. According to Visto, these documents contain  
7 information that Research In Motion Limited and Research In Motion Corporation (collectively,  
8 "RIM"), the defendants in the original action pending in the Eastern District of Texas, disclosed  
9 to Visto pursuant to the protective order entered in that case. *See* Docket Nos. 17, 18.

10 Google does not seek to seal *any* of its own documents, so this motion is brought under  
11 Civil Local Rule 79-5(d)—therefore, Google has filed neither a supporting declaration that  
12 explains why the materials should be maintained under seal, nor a narrowly-tailored proposed  
13 sealing order. Google expects that Visto will substantiate the basis for its Request to Seal within  
14 five days.

15 Google respectfully requests that the Court order that the Clerk of the Court maintain  
16 each of the above documents in accordance with the provisions of Local Civil Rule 79-5(d).

17 Dated: April 23, 2008.

Respectfully submitted,  
KEKER & VAN NEST, LLP

18  
19  
20 By: /s/ Khari J. Tillery

21 MICHAEL H. PAGE  
22 ASHOK RAMANI  
23 KHARI J. TILLERY  
24 Attorneys for Third-Party Google, Inc.  
25  
26  
27  
28

1 KEKER & VAN NEST, LLP  
MICHAEL H. PAGE - #154913  
2 ASHOK RAMANI - #200020  
KHARI J. TILLERY - #215669  
3 710 Sansome Street  
San Francisco, CA 94111-1704  
4 Telephone: (415) 391-5400  
Facsimile: (415) 397-7188

5 Attorneys for Third-Party Google, Inc.  
6  
7  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 VISTO CORPORATION,  
13

Plaintiff,  
14

15 v.

16 RESEARCH IN MOTION LIMITED, et al.,  
17

Defendant.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Misc. Civil Case No. 3:08-mc-80031-JSW  
(JL)

Court of Original Jurisdiction  
U.S. Dist. Ct.  
E. District Texas  
Marshall Division  
Case No. 2-06-CV-181 TJW

**[PROPOSED] ORDER GRANTING  
ADMINISTRATIVE MOTION TO FILE A  
PORTION OF DOCUMENT UNDER  
SEAL**

1 Good cause having been shown, and consistent with the Court's April 2, 2008 Order  
2 (Docket No. 26), Google's Administrative Motion to File Portions of Document Under Seal is  
3 hereby GRANTED. Google may file portions of the following documents under seal: Third  
4 Party Google's Reply in Support of Motion to Quash, or in the Alternative, for Protective Order,  
5 and Opposition to Motion to Compel.

6 IT IS SO ORDERED.

7  
8 DATED: \_\_\_\_\_

\_\_\_\_\_  
Magistrate Judge Larson